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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hajime AMANO et al.

Group Art Unit: 2851

Application No.: 09/818,565

Examiner: P. Kim

Filed: March 28, 2001

Docket No.: 109102

For: METHOD OF MANUFACTURING SPIN VALVE FILM

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

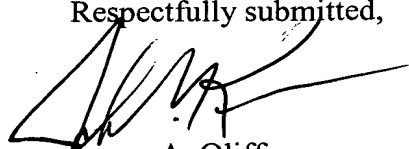
In reply to the April 6, 2004 Election of Species Requirement, Applicants provisionally elect Species BB and BBC, drawn to a degree of the separate vacuum chamber that is lower than the film forming chamber, with traverse. At least claim 22 is directed to the species. Further, at least claims 13, 14 and 19 are generic to this species.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: April 26, 2004

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